ANNUAL REPORT

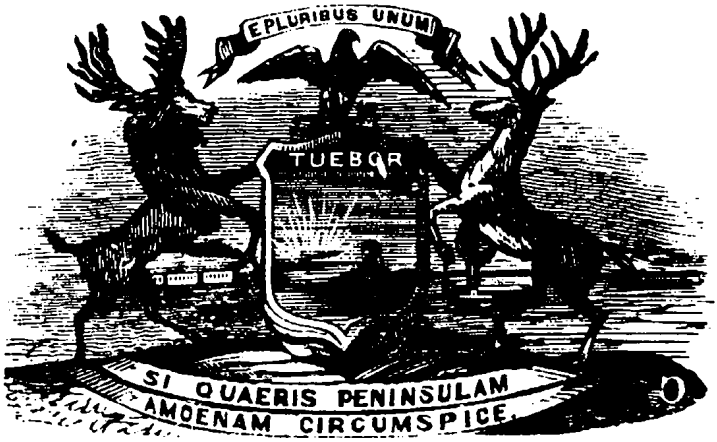
OF THE

ATTORNEY GENERAL

OF THE

STATE OF MICHIGAN,

FOR THE YEAR 1843.



BY AUTHORITY.

LANSING:
PRINTED BY THE STATE PRINTERS.
1843.

REPORT.

To the Legislature of the State of Michigan:

In obedience to the statute, the undersigned respectfully reports: that the principal business performed by him as Attorney General, since entering upon the duties of his office on the 17th of April last, has consisted in the examination of questions presented by different public officers and in the execution of the duties devolved upon him as a member of the Board of Auditors.

A great number and variety of questions have been presented requiring extended examinations, and written opinions. The duties performed as one of the Board of Auditors appear in the report made by the Board.

Owing to the fact that the officers appointed to settle with my predecessor in office have not yet closed his account, the business pending in the office has been principally retained in his hands. A number of bonds and mortgages have recently been placed in this office by the proper officers against delinquent purchasers of University and School lands, which are now in the course of collection. In several cases bills have been prepared; others will be settled without the necessity of suits.

I have also attended to the hearing before Auditors in the case of the State *vs.* Van Fossen—since settled. A bill has also been filed against the Merchants' Bank of Jackson County, and an injunction obtained, and a receiver appointed.

The schedule marked A contains an abstract of the annual reports of the Prosecuting Attorneys, showing the official business done by them during the past year. The Prosecuting

Attorneys for the counties of Lapeer, Macomb, Oakland, and Saginaw have neglected to make their reports. The schedule embraces all the other counties, and exhibits the amount and kind of criminal business done, the number of persons prosecuted, the crimes and misdemeanors for which such prosecutions were had, the results thereof, and the punishments awarded.

Respectfully submitted,

E. FARNSWORTH,

Attorney General.

Detroit, December 28th, 1843.

For appendix, see Joint Documents 1843,—Michigan State Library.

(A.)

Abstract of Reports of Prosecuting Attorneys, exhibiting the Criminal business of 1843.

Wayne County—A. W. BUEL, *Prosecuting Attorney.*

PERSONS INDICTED.

For murder,	1
manslaughter,	1
arson,	2
burglary,	3
perjury,	2
forgery,	1
buggery,	1
rape,	1
adultery,	1
polygamy,	2
keeping house of ill fame,	6
lewd and lascivious cohabitation,	7
larceny,	33
receiving stolen property,	4
obtaining goods or money under false pretences,	2
extortion,	1
conspiracy,	6
malicious mischief,	7
assault and battery,	23
" " resistance of officers,	3
" with intent to murder,	4
" " " rob,	1
aiding and abetting in assault with intent to rob,	1
escape from jail,	2
" " officers,	2
attempt to break jail,	2
aiding and abetting in attempt to break jail,	3
	122

Convicted and sentenced to penitentiary,		22
" "	county jail,	5
" fined,		18
" not sentenced,		6
Discharged		22
Still pending,		49
		122

Of those whose cases are "still pending," twenty-one have absconded.

Monroe County—J. P CHRISTIANCY, *Prosecuting Attorney.*

For larceny,	6
assault and battery,	2
riotous assault and battery,	6
assault and battery with intent to murder,	1
arson,	1
robbery,	1
perjury,	2
malicious mischief,	1
having in possession, with intent to utter, counterfeit bills,	1
Indictments pending, included in last report,	29
	50

Convicted and sentenced to penitentiary,		4
" fined,		1
" not yet sentenced,		1
Still pending,		19
Discharged,		25
		50

Special Sessions.

Convicted and fined for assault and battery,		1
" imprisoned " "		2
" fined for malicious mischief,		1
" imprisoned for larceny,		1
		5

Washtenaw County—E. MUNDY, *Prosecuting Attorney.*

PERSONS INDICTED.

For murder,		1
assault and battery,		1
" with intent to ravish,		2
burglary and larceny,		2
perjury,		1
larceny,		1
prison breaking,		1
		9
Convicted and sentenced to penitentiary,	2	
" " not sentenced (murder(	1	
" " fined,	2	
Discharged,	4	
	9	

Of indictments pending and included in last report.

Discharged,	2
tried before special sessions and imprisoned in county jail,	1

Oakland County—GEORGE C. GIBBS, *Prosecuting Attorney.*

For murder,		1
arson,		1
larceny,		3
publishing libel,		1
obtaining goods under false pretences,		2
nuisance,		1
assault and battery,		4
selling spiritous liquors without license,		1
refusing to pay over money collected in capacity of attorney at law,		2
		16
Trials at circuit court 8. Convictions	6	
" " special sessions 5 "	3	

Sentenced to penitentiary,	3	
" " imprisonment in county jail,	2	
sentence suspended,	1	
fined,	3	

—

Jackson County—D. JOHNSON, *Prosecuting Attorney.*

For arson,		2
burglary,		1
larceny,		3
perjury,		2
forgery,		1
malicious mischief,		2
assault and battery,		2
" " " on an officer,		2
escape from jail,		2
keeping tavern without license,		1
		18
Convicted and sentenced to penitentiary,	5	
" " fined,	1	
still pending,	11	
		17
Convicted before special sessions and fined	3	

—

Branch County—E. G. FULLER, *Prosecuting Attorney.*

For assault and battery,	1
" with intent to murder,	1
arson,	1
larceny,	3
plygamy,	1
malicious mischief,	1
perjury,	1
breaking jail,	1
embezzlement,	1
	11

Convicted and sentenced to penitentiary,		1
" " judgment suspended,		2
Still pending,		4
Discharged,		4
		11

Ionia County—ADAM L. ROOF, *Prosecuting Attorney.*

For Perjury,		4
assault,		1
" and battery,		2
" with intent to rarish,		1
illegal voting,		3
refusing to pay over money collected as Assessor,		1
		12
discharged,	3	
still pending,	9	
bills found last term, 2,	12	

Ottawa County.—G. REED, *Prosecuting Attorney.*

Larceny		1
trespass on University and school lands,		3
		4
Convicted and sentenced to penitentiary,	1	
still pending,	3	
	4	

Kent County.—THOMAS B. CHURCH, *Prosecuting Attorney.*

Murder,	1
accessory to murder,	1
assault and battery,	2
" with intent to ravish,	1
larceny,	1
perjury,	2
malicious mischief,	1
	9

convicted and sentenced to be hung,		1
" " " Penitentiary,		1
" fined,		1
" judgement suspended,		1
discharged,		5
		9

Cass County.—JAMES SULLIVAN, *Prosecuting Attorney.*

For Larceny,		1
assault and battery,		1
having in possession with intent to utter counterfeit bills,		2
assault with intent to kill,		1
		5
still pending,	3	
Discharged,	2	
	5	

Van Buren County.—AARON W. EROUGHTON, *Prosecuting Attorney.*

No trials had; no bills found; no setting of special sessions, in 1843.

Eaton County.—E. HIGBY, *Prosecuting Attorney.*

For Adultery,		1
perjury,		1
assault and battery,		10
nuisance,		1
larceny,		1
		14
Fined,	1	
Still pending,	2	
Discharged,	11	
	14	

Berrien County.—J. N. CHIPMAN, *Prosecuting Attorney.*

No indictments found in 1843.

Allegan County.—HOVEY K. CLARKE, *Prosecuting Attorney.*

For Murder,		1
larceny,		1
nuisance,		2
pending and included in last report,		2
		6
Still pending,	4	
Discharged,	2	
	6	

St. Joseph County—J. EASTMAN JOHNSON, *Prosecuting Attorney.*

For perjury,		1
forgery,		1
larceny,		1
receiving stolen goods,		1
fraudulent disposal of property,		1
malicious mischief,		4
assault with intent to murder,		1
selling spiritous liquors without license,		2
Pending and included in last report,		8
		20
Convicted and sentenced to penitentiary,	2	
" fined,	2	
" not yet sentenced,	1	
Discharged,	3	
Still pending,	12	
	20	

Ingham County—J. W. BURCHARD, *Prosecuting Attorney.*

For larceny,		1
assault and battery,		1
" " with intent to kill,		2
maiming swine,		1
obtaining goods on false pretences,		1
		6
Still pending,	5	
Discharged,	1	
	6	

Clinton County—Levi Townsend, *Prosecuting Attorney.*

For assault with intent to kill,		2
" and battery,		2
perjury,		2
adultery,		2
malicious mischief,		2
		10
Still pending,	6	
Discharged,	4	
	10	

Hillsdale County—James K. Kinman, *Prosecuting Attorney.*

For larceny,		6
" and burglary,		2
perjury,		2
assault and battery,		3
" on officer,		1
arson,		2
embezzlement,		1
		17
Convicted and sentenced to penitentiary,	4	
" fined,	2	
Still pending,	5	
Discharged,	6	
	17	

Kalamazoo County—Nathaniel A. Balch, *Prosecuting Attorney.*

For burglary,	1
assault, with intent to ravish,	1
" and battery,	6
nuisance,	1
perjury,	1
larceny,	4
killing cattle,	1
gambling house,	1

keeping gaming implements,		1
violation of license law,		6
having, with intent to utter, counterfeit bills,		3
embezzlement,		1
		27
Convicted and sentenced to penitentiary,	3	
" fined,	4	
" not yet sentenced,	1	
Discharged,	7	
Still pending,	12	
	27	

Lenawee County—F. C. BEAMAN, *Prosecuting Attorney*,

For adultery,		1
rape,		1
lewd and lacivious cohabitation,		6
burglary, and assault,		3
perjury,		1
malicious mischief,		2
larceny,		1
uttering counterfeit promissory note,		1
nuisance,		5
obtaining money under false pretences,		1
disturbing religious meetings,		1
assault and battery,		5
		28
Convicted and sentenced to penitentiary,	4	
still pending,	17	
Discharged,	7	
	28	

Livingston County—F. C. WHIPPLE, *Prosecuting Attorney.*

For assault and battery,		3
" on officer,		2
" with intent to ravish,		1
disturbing religious assembly,		1
destroying monument,		1

township treasurers paying over different funds from those collected, 4
fraudulent disposition of property, 1
cheating, 1
perjury, 3
malicious trespass, 2

19

Convicted and fined, 5
" " not sentenced, 3
still pending, 8
Discharged, 3

19

Genesee County—E. H. THOMSON, *Prosecuting Attorney.*

For larceny, 2
assault and battery, 2
" on officer, 1
uttering counterfeit money, 1
arson, 1
selling liquors to Indians, 3
obtaining goods on false pretences. 1

11

Convicted and fined, 1
discharged, 3
still pending, 7

11

Shiawassee County—JULIUS C. SMITH, *Prosecuting Attorney.*

For assault and battery, 1
uttering counterfeit money, 1
malicious mischief, 1

3

Convicted and not sentenced, 1
still pending, 2

3

St. Clair county—L. MASON, *Prosecuting Attorney.*

For breaking jail—still pending, 1